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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/632,139	08/03/2000	Ryoichi Imanaka	MAT-3720US4	2101

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EXAMINER	
BROWN, RUEBEN M	
ART UNIT	PAPER NUMBER
2623	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/632,139	IMANAKA, RYOICHI	
	Examiner	Art Unit	
	Reuben M. Brown	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 November 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *14,17-19,21,22,37,40-42,45,47,49,51,53,55 and 57-59* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *14,17-19,21,22,37,40-42,45,47,49,51,53,55 and 57-59* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/ are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/20/2007 has been entered.

Response to Arguments

2. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 14, 17-19, 21-22 & 37, 40, 42, 45, 47, 49, 51, 53, 55 & 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horton, (U.S. Pat # 4,945,563) in view of Brownstein, (U.S. Pat # 5,671,202).

Considering amended claim 14, the claimed *computer information system comprising a provider for providing information to a recipient* reads on the central office connected to the cable TV or satellite distribution system; see Horton col. 3, lines 61-68.

The additional claimed feature of the '*provider charging a different amount to the recipient depending upon whether the information is recorded*' reads on the disclosure of Horton that a subscriber may preview a movie free-of-charge, may be charged a certain amount for viewing the movie and a different amount is charged when the movie is ordered for recording, col. 2, lines 25-67; col. 3, lines 40-55 & col. 4, lines 21-34.

Horton does not teach the amended claimed features, *'to be recorded in a non-sequentially accessible medium'... 'is permitted if a value of an identifier read from the medium is a registered ID value...recording of the information in the medium is prevented if any registered ID value is not readable from the medium'*. Nevertheless, Brownstein provides a disclosure of a security system that operates by storing a medium signal identification group and/or embedded characters, (which reads on the claimed *'identifier read from said recording medium'*), at least in order to prevent inappropriate material from being stored on the instant recording medium, see Abstract; Fig. 5-6; Fig. 8 & 9A-9B; col. 7, lines 31-50; col. 9, lines 35-61 & col. 10, lines 1-26. In particular, Brownstein teaches that in order to store a file, the instant file must contain an identifier that matches an identifier stored on the recording medium to which the file would be stored, see col. 9, lines 36-67; col. 10, lines 41-67 thru col. 11, lines 1-5. Since Brownstein (col. 1, lines 25-50; col. 4, lines 21-31; col. 11, lines 42-58) discloses that the recording medium may include an optical storage disk, as well as a compact disk, CD, the amended claimed feature of the, *'non-sequentially accessible medium'*, is met by the reference.

It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Horton with the technique of only recording information on a particular recording medium after verifying that a registered recording medium being identified, at least for purpose of ensuring that only certain files, such as only specific image files are stored on a particular recording medium, as taught by Brownstein, col. 3, lines 20-45 & col. 11, lines 1-17, which teaches that an owner of specific images can control to which recording medium the instant images are stored.

As for the claimed computer information system, Brownstein does not discuss which type of system that the optical storage disks and/or compact disks/CD are used. However, Official Notice is taken that the use of optical disks and/or compact disks/CD in a PC system was old in the art. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify the combination of Horton & Brownstein with the technology of operating the optical storage disk in a PC system, at least for the desirable advantage of enabling a wide range of interactivity with the instant optical storage disk, inherent in its use in a PC system.

Considering claim 17, the claimed steps of a method for processing information corresponds with subject matter mentioned above in the rejection of claim 14, and are likewise rejected.

Considering claim 18, the claimed elements of a method for processing information corresponds with subject matter mentioned above in the rejection of claim 14, and are likewise rejected. As for the different feature of receiving information from a provider, the receiver system of Horton, meets the claimed subject matter, (Fig. 1; col. 3, lines 31-45).

Considering claim 19, the claimed elements of a computer information system that corresponds with subject matter mentioned above in the rejection of claim 14, are likewise rejected. As for the different feature of a recipient for receiving information from a provider, the receiver system of Horton, meets the claimed subject matter, (Fig. 1; col. 3, lines 31-45).

Considering claim 21, the claimed signal transmitted from a recipient of information to a provider of information, such that the signal indicates whether the information is recorded in a medium, is met by the disclosure in Horton that the decoder 28 could provide billing information to the store and hold circuit 46, which is then transmitted to the proper billing authority, see col. 3, lines 35-60. The instant billing information shows which viewing mode was selected by the subscriber, and thus what charges are being billed.

Considering claim 22, the claimed steps of a method for processing information corresponds with subject matter mentioned above in the rejection of claim 21, and are likewise rejected.

Considering claim 37, the claimed elements of an information receiver, correspond substantially with the subject matter mentioned above in the rejection of claims 14 & 19, and are likewise rejected.

Considering claim 40, the claimed 'informing designating unit designate the information', is broad enough to the read on the decoder 28, that decodes the coded information and provides an indication to the user of the various modes of the particular decoded program, see Horton, col. 3, lines 35-42.

Considering claim 42, the information processed and viewed in Horton and is audio/video information.

Considering claims 45, 47, 49, 51, 53, 55, & 57, *'wherein the registered ID value is provided by the provider'*, in Horton the taping mode may be selected by the operator 32, but the authorization code is embedded in the TV signal, col. 3, lines 32-67; col. 4, lines 1-45. Horton also teaches that alternatively, the pre-authorization code may be transmitted to the receiver, which also indicates the reception/taping mode. Furthermore, in Brownstein, the file identification signal group data is embedded with the instant file, which reads on, *'registered ID value is provided by the provider'*, col. 9, lines 35-45; col. 10, lines 66-67 & col. 11, lines 24-26.

5. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Horton & Brownstein as applied to claim 37 above, and further in view of Lindman, (U.S. Pat # 4,882,752).

Considering claim 41, even though both Horton & Brownstein discuss the use of identifiers, the references do not discuss the additionally claimed feature of, *'an informing unit to inform that the identifier is wrong, if the identifier is not registered'*. Brownstein merely discloses that if the file to be stored on the recording medium does not contain the identifier that matches the identifier on the instant recording medium, then the storage procedure is stopped,

see Fig. 9B. Nevertheless, Lindman (col. 9, lines 10-47; col. 10, lines 62-68 thru col. 11, lines 1-15 & Fig. 5) provides a teaching of informing a user of terminal 12a or 12b, with security message when the personal ID code entered is not registered for authorization to use the system. It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the combination of Horton & Brownstein with the feature of informing a user when their personal ID is not authorized to access the system, at least for the desirable purpose of warning the operator that further communication/action is not authorized, as taught by Lindman, col. 9, lines 40-47.

3. Claim 58 is rejected under 35 U.S.C. 103(a) as being unpatentable over Horton & Brownstein and further in view of Wade, (U.S. Pat # 5,552,776).

Considering claim 58, Brownstein teaches permitting a file to stored on a recording medium, based on the identifier read from the recording medium, but does not explicitly disclose the feature with respect to the *'drive ID'*. Nevertheless Wade, which is in the same field of endeavor meets the claimed subject matter, since it teaches controlling the access to various devices within a computer (such as removable or fixed disk drives), based on the level of access associated with an individual user or a group, see col. 7, lines 8-50; col. 8, lines 54-67 thru col. 9, lines 1-30. It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the combination of Horton & Brownstein, with the feature of

controlling access to devices within a computer for the advantage of providing a security algorithm that insures that unauthorized users are not able to modify the contents or configurations of the various components of a computer, as taught by Wade, see col. 1, lines 10-67 thru col. 2, lines 1-67.

4. Claim 59 is rejected under 35 U.S.C. 103(a) as being unpatentable over Horton & Brownstein, and further in view of Tsai, (U.S. Pat # 5,903,407).

Considering claim 59, Horton and Brownstein do not discuss any feature regarding automated *'deletion of programs from the recording medium'*. Nevertheless Tsai, which is in the same field of endeavor, teaches that a user may set an "auto-overwrite", so that for instance movies older than a certain data will be overwritten. It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the combination of Horton & Brownstein, with the feature of automatically removing programs older than a certain date, as taught by Tsai, at least for the desirable benefit of allowing incoming programs to be recorded, especially when there presently is not enough storage space, by removing (overwriting) programs that the user would more likely not want to maintain, based on their age in the storage medium.

It is noted that Tsai specifically discuses the automated removal of old programs feature with respect to the overwrite technique, but does not explicitly discuss the automated removal of old programs feature with respect to the erasing technique. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to operate the combination of Horton &Tsai, in a manner such that the old programs would be optionally erased, at least for the purpose of being able to demonstrate storage space that has been created, which can be used to record new programs.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A) Fite Teaches not permitting playback of video content from a disc, unless the proper authorization code is reads from the instant disc.

B) Kishi Teaches inhibiting the recording of edition data on a disk, if the disk ID on the RAM of the disk does not coincide with the disk ID actually recorded on the disk, col. 15, lines 65-67 thru col. 16, lines 1-5; Fig. 25A-25B.

C) Jones Password protection for devices within a computer

D) Asai Disk ID for controlling access to software on a CD-ROM.

Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

or faxed to:
(571) 273-8300, (for formal communications intended for entry)
Or:
(571) 273-7290 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown M. Brown whose telephone number is (571) 272-7290. The examiner can normally be reached on M-F(8:30-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communications and After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Reuben M. Brown

REUBEN M. BROWN
PATENT EXAMINER